

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

DIAGEO NORTH AMERICA, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. H-13-856
	§	
MEXCOR, INC. <i>and</i> EJMV	§	
INVESTMENTS, LLC,	§	
	§	
Defendants.	§	

SUPPLEMENTAL FINAL JUDGMENT AND PERMANENT INJUNCTION

On December 16, 2014, the Court issued Final Judgment (Document No. 195), in which it ordered Defendants Mexcor, Inc. and EJMV Investments, LLC (collectively, “Mexcor”) to pay Plaintiff Diageo North America, Inc. (“Diageo”) the sum of \$401,228.00 in accordance with the jury’s verdict in favor of Diageo. Contemporaneously with this Amended Final Judgment and Permanent Injunction, the Court issues an order granting in part and denying in part Mexcor’s Motion to Amend Judgment, and/or for Judgment as a Matter of Law (Document No. 211) and granting in part and denying in part the Motion for a Permanent Injunction (Document No. 217) filed by Diageo.

Based on the foregoing, the Court hereby

**ORDERS** that Mexcor’s “Texas Crown Club” bottle label does not infringe Diageo’s trademarks or trade dress. The Court further

**ORDERS** that Mexcor's agents, employees, representatives, affiliates, subsidiaries, successors with notice of this order, and all persons in active concert or participation with Mexcor, are permanently enjoined from the following:

- (1) Using a word mark containing the word "crown" (a "crown-formative mark") in combination with a cloth bag for whisky/whiskey; and
- (2) Using cloth bags displaying a Texas crown-formative mark or cloth bags in conjunction with bottles displaying a Texas crown-formative mark for whisky/whiskey; and
- (3) Using any name or trade dress that is confusingly similar to or dilutes the Crown Royal trade dress.

SIGNED at Houston, Texas, on this 30 day of September, 2015.

A handwritten signature in black ink, appearing to read "David Hittner", written over a horizontal line.

DAVID HITTNER  
United States District Judge